

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA
v.
EDUARDO CAZARES-MARRUFO

)
No. 3:12-00210
CHIEF JUDGE HAYNES

MOTION TO CONTINUE TRIAL

NOW COMES the defendant, Eduardo Cazares-Marrufo, who, through undersigned counsel, respectfully requests that this Honorable Court enter an order granting his motion for a continuance of the trial scheduled for January 22, 2013. The reasons for this motion are set forth as follows:

1. Title 18, United States Code, Section 3161(h)(8)(A) provides, in pertinent part, that any period of delay resulting from a continuance granted on the basis of a court's findings that the ends of justice served by the granting of a continuance outweigh the best interest of the public and the defendant in a speedy trial shall be excluded in computing the time within which the trial must commence.

2. The factors which a judge shall consider in determining whether to grant a continuance are found in subsection 3161(h)(8)(B). One such factor is whether denial of a continuance would deny counsel for the defendant "the reasonable time necessary for effective preparation, taking into account the exercise of due diligence." Section 3161(h)(8) (iv).

3. Defendant has brought a few matters to undersigned counsel's attention which must be investigated before this case can be resolved.

4 Undersigned counsel has discussed this motion with Assistant United States Attorney Hillard H. Hester, who has authorized her to state that he has no opposition to this motion.

*On Wed
Motion is
GRANTED in the
interests of justice to
allow defense
counsel to
be prepared
for trial.*

*Hillard H. Hester
1-7-13*